

Appl. No. 10/773,908
Am't. dated February 27, 2006
Reply to Office Action of November 29, 2005

REMARKS

In response to the Office Action dated November 29, 2005, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-64 are pending in the present application and claims 57-64 are withdrawn from further consideration. Claims 1-7, 9-14, 16-31, 33-38, 40-47, 49-51 and 53-56 have been rejected. Claims 8, 15, 32, 39, 48 and 52 have been indicated as being allowable but for their dependence on rejected base claims, Applicants cordially thank the Examiner for indication of the same. Claims 1, 25 and 46 have been amended, leaving claims 1-56 for further consideration upon the entry of the amendment. No new matter has been added by the amendment.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3, 5-7, 9, 10, 12-14 and 16-25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kim et al. (U.S. Patent Appl. Pub. No. 2005/0218783) for the reasons stated on pages 3-7 of the Office Action. Applicants respectfully traverse the § 102(e) rejections for the reasons stated below.

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barent, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

It is respectfully submitted that the invention of the present application with respect to amended independent claims 1, 25 and 46 recite that "the second member" is coated by melting. In contrast, paragraph [0041] of the Kim et al. reference discloses "the adhesive means (member)" comprising a silver grain, a resin and a solvent. Therefore the "adhesive member" is coated in a physical state of a paste composition in Kim et al., which is different than coating by "melting", as in amended claims 1, 25 and 46.

Kim et al. does not teach or suggest, a second member disposed between the first member and the lamp body, the second member having metallic solder and being coated on the first end portion of the lamp body by melting to provide adhesion between the first member and the lamp

Appl. No. 10/773,908
Amdt. dated February 27, 2006
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body, as in amended independent claims 1, 25 and 46. Thus, claims 1, 25 and 46, including claims depending therefrom, i.e., claims 2-24, 26-45 and 47-56, define over Kim et al.

Accordingly, it is respectfully requested that the § 102(e) rejections to claims 1-3, 5-7, 9, 10, 12-14 and 16-25 be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

Claims 26-31, 33-38, 40-47, 49-51 and 53-56 stand rejected under 35 U.S.C. § 103(a) as being obvious over Kim et al. (U.S. Patent Appl. Pub. No. 2005/0218783) for the reasons stated on pages 8-9 of the Office Action. Applicants respectfully traverse the § 103(a) rejections for the reasons stated below.

Claims 26-31, 33-38 and 40-45 depend from independent claim 25 and claims 47, 49-51 and 53-56 depend from independent claim 46, which are both submitted as being allowable for defining over Kim et al., as discussed above. Furthermore, it is respectfully submitted that use of a detailed structure of the voltage applying module, the receiving container and the holding members for securely holding the display panel and the light assembly allegedly taught in, for example, Hur et al, Yoo et al. and Cho et al., does not cure the deficiencies noted above with respect to Kim et al.

Accordingly, it is respectfully requested that the § 103(a) rejections to claims 26-31, 33-38, 40-47, 49-51 and 53-56 be withdrawn.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being obvious over Kim et al. (U.S. Patent Appl. Pub. No. 2005/0218783) in view of Jung et al. (U.S. Patent Appl. Pub. No. 2004/0263042) for the reasons stated on pages 9 and 10 of the Office Action. Applicants respectfully traverse for the reasons stated below.

Claim 4 depends from claim 1, which is submitted as being allowable for defining over Kim et al., as discussed above. Furthermore, it is respectfully submitted that use of the first electrode with a gold film coated on the a surface allegedly taught in Jung et al. does not cure the deficiencies noted above with respect to Kim et al.

Accordingly, it is respectfully requested that the § 103(a) rejection to claim 4 be withdrawn.

Appl. No. 10/773,908
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Claim 11 stands rejected under 35 U.S.C. § 103(a) as being obvious over Kim et al. (U.S. Patent Appl. Pub. No. 2005/0218783) in view of Takeda et al. (U.S. Patent Appl. Pub. No. 2004/0178731) for the reasons stated on page 10 of the Office Action. Applicants respectfully traverse for the reasons stated below.

Claim 11 depends from claim 1, which is submitted as being allowable for defining over Kim et al., as discussed above. Furthermore, it is respectfully submitted that use of an external electrode having a thickness of 0.1mm for use as an outside electrode of a discharge lamp allegedly taught in Takeda et al. does not cure the deficiencies noted above with respect to Kim et al.

Accordingly, it is respectfully requested that the § 103(a) rejection to claim 11 be withdrawn.

37 CFR § 1.132 Declaration

Applicants direct the Examiner's attention to note that the application of Kim et al. may readily be disqualified as a prior art reference. In this instance, Applicants further direct the Examiner's attention to the Declaration pursuant to 37 CFR 1.132 filed herewith. This declaration indicates that Hyeong-Suk Yoo is an inventor of the instant patent application and that he conceived of or invented the subject matter disclosed in Kim et al. (U.S. Patent Appl. Pub. No. 2005/0218783), relied upon by the Examiner for rejection of the claims herein under 35 USC §102(e) and 35 USC §103(a). U.S. Patent Appl. Pub. No. 2005/0218783 to Kim et al. is therefore disqualified as prior art under 35 USC §102(e) and is therefore not available as prior art under 35 USC §103(a), as applied to the present application.

Appl. No. 10/773,908
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Conclusion

In view of the forgoing remarks distinguishing the prior art of record, Applicants submit that this application is in condition for allowance. Early notification to this effect is requested.

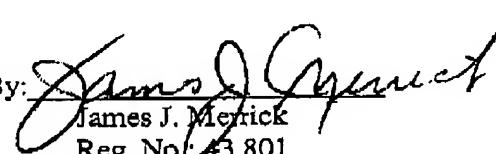
The Examiner is invited to contact Applicants' Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application in order to address any questions or remaining issues concerning the same.

If there are any charges due in connection with this response, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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